

Court of Appeals, State of Michigan

ORDER

In re Brandon Dihle

Docket No. 365044

LC No. 21-454973-DL

Douglas B. Shapiro
Presiding Judge

Jane E. Markey

Kathleen A. Feeney
Judges

The motion for immediate consideration is GRANTED.

In lieu of granting the delayed application for leave to appeal, and as authorized by MCR 7.205(E)(2), the ruling of the Hillsdale Family Court memorialized in its January 4, 2023 order is PEREMPTORILY REVERSED, the January 4, 2023 order is VACATED, and the matter is REMANDED for entry of an order appointing appellate counsel. The family court abused its discretion when it denied the minor's request for the appointment of appellate counsel. The family court may not rely on a personal assessment of the wisdom of the minor's decision to pursue an appeal as a ground to deny counsel. This order is to have immediate effect. MCR 7.215(F)(2).

We do not retain jurisdiction.


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

March 21, 2023
Date


Chief Clerk